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May 25, 2010

Montgomery County Dept. of General Services
c/o Hamid Omidvar & Randall Hawkins
101 Monroe Street, 11th Floor
Rockville, Maryland 20850

Re: Site Plan STP2010-00017, Montgomery County Judicial Center
50 Maryland Avenue. Rockville, Maryland 20850

Dear Mr. Omidvar and Mr. Hawkins:

At its March 10, 2010 meeting, the City of Rockville Planning Commission considered and voted to approve the referenced application and accompanying development proposal as a Mandatory Referral Review, subject to staff recommendations as listed in the staff report. Commission approval allows for the expansion of the existing Judicial Center via construction of a 166,000 square foot building addition. The proposed new six-story building addition will be approximately 118 feet in height and will be of masonry, glass, and metal construction. The new Judicial Center Annex will house ten new courtrooms and chambers, including Family Court and court support functions. As part of the subject project proposal, the applicant plans to expand the Judicial Center's existing underground parking garage via construction of seventy new parking spaces, which would be located beneath the planned new building addition.

The Planning Commission in its approval decision, also voted to approve a parking waiver request as submitted by the applicant, based on the reasons as put forth in the request. Thus, in accordance with Section 25.16.03.h.1. of the Ordinance, the Planning Commission approved the request to reduce the number of required parking spaces from 830 spaces to 311 spaces, based on using a parking ratio of one parking space per 534 square feet of gross floor area, for the reasons as set forth in the applicant's waiver request.

Planning Commission approval of Site Plan Application STP2010-00017, is in accordance with requirements of Mandatory Referral review found in Article 66B, Section 3.08 of the Annotated Code of Maryland, by which the Commission determines whether the location, character and extent of the project are consistent with the City's Master Plan.

Thus, based on all of information and testimony provided, the Planning Commission voted to approve both the development proposal and parking reduction request as a Mandatory Referral with the following recommendations:

1. That the applicant submit to the Chief of Planning nine (9) copies of the site and building plans revised to illustrate that all of the following site development concerns have been satisfactorily addressed:

a. Provide additional "site information" on site plan sheet #C-201, which should include but not be limited to the following:

- i) Existing and proposed amount of gross floor area of the Judicial Center (JC) and the building addition respectively. Building height of the existing JC and proposed height of the new building addition.
- ii) Provide an overall site parking tabulation, listing total number of spaces required and provided for the existing JC and new Annex addition, using parking ratio as listed in the City's Zoning Ordinance (ref. Section 25.16.03.d.). Note, bicycle-parking requirements should also be included with this information.

b. Proposed site lighting shall be installed so as to not create glare or light spillage onto neighboring properties or abutting public street rights-of-way. A site lighting plan must be submitted for staff review and approval prior to the issuance of occupancy permits. Note, proposed site lighting must be provided in accordance the requirements of the Landscaping, Screening and Lighting Manual.

c. All proposed vehicular parking spaces that will be located in the new subsurface parking garage must be a rectangle not less than nine feet wide and 18 feet in length. For parallel parking spaces, the length must be increased to a minimum of 21 feet (Ref. Section 25.16.06.b. of Zoning Ordinance).

2. The Department of Public Works (DPW) requires the following information be provided and/or action taken:

a. Submit the following detailed engineering plans, studies and computations, as well as appropriate checklists and permit applications:

- i) on-site stormwater management (SWM) plans;
 - ii) sediment control plans for all disturbed site areas;
 - iii) public improvement plans including required sewer system connection;
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- iv) all necessary deeds, easements, dedications, and declarations. Note, all detailed engineering plans must be submitted on 24 inch x 36 inch plan sheets, at a scale of one inch = 30 feet.

- b. Obtain permits form DPW for public improvements, stormwater management, and sediment control.
- c. While bonds will not be required to be posted for DPW permits, the applicant must provide a letter to the City stating that final payments to the contractor on this project will not be made until the City has accepted the as-built drawings for any work covered by a City permit.
- d. Applicant must comply with all conditions of the SWM Concept approval letter dated January 26, 2010.
- e. Applicant must comply with all conditions of the Water and Sewer Authorization letter dated January 6, 2010.
- f. Internal traffic control devices (i.e. signs, marking and devices placed on, over or adjacent to a roadway or pathway) to regulate, warn or guide pedestrians and/or vehicular traffic should comply with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). The signing and pavement marking plans shall be submitted to Department of Public Works (DPW) and approved by the Chief of Traffic and Transportation. *(This plan shall be approved and included with the signature set.)*
- g. Provide nine (9) bicycle lockers (18 long-term spaces) and 18 bicycle racks (34 short-term spaces). A locked bicycle room with racks or a covered locked cage is required for long-term storage. Short-term spaces are considered to be an inverted "U" bicycle rack and must be spaced four feet apart. These spaces shall be provided at a safe and secure location that is approved by DPW. The location of the short-term spaces shall be approved by DPW at the detailed engineering stage. Bike lockers and racks must be installed prior to issuance of the occupancy permit.

The applicant shall provide three showers per gender (six showers total) and 18 clothes storage lockers per gender. The lockers shall be installed adjacent to the showers in a safe and secured area and be accessible to all tenants of the building.

- h. Site circulation and adjacent street access will be reviewed by DPW for the ~~Council Office Building and the Council Office Building Garage addition~~ during the Planning Application process for those buildings.

- i. Prior to issuance of the occupancy permit for the Judicial Center Annex, the applicant shall install a concrete shelter pad at the bus stop located along the East Jefferson Street frontage. The size and specific location of the pad shall be approved by DPW and will be determined at the detailed engineering stage.
- j. Obtain all required permits from the Maryland State Highway Administration (SHA), including, but not limited to, the left turn lane extension for westbound East Jefferson Street at Monroe Street. The City maintains improvements in the East Jefferson Street right-of-way outside of the travel lanes. Therefore, the applicant must submit plans to DPW for review prior to submission to SHA for any improvements proposed in the East Jefferson Street right-of-way. Said improvements will be implemented at the time the County Parking Garage located on Fleet Street and Monroe Street is expanded.
- k. The applicant shall submit for review and approval by DPW, a phasing plan for pedestrian access, construction access, staging and parking. A pedestrian access plan for the construction period shall include, but not be limited to, the methods of maintaining pedestrian safety and access on the existing sidewalks, temporary closing of sidewalks for work in the streetscape zone, and pedestrian detours, as well as efforts to minimize closure of sidewalks. This plan shall be approved prior to issuance of the DPW permit.
- l. The applicant shall revise the parking structure layout for the Judicial Center Annex in order to be consistent with the Zoning Ordinance; i.e., minimum size of parking spaces, drive aisle widths, etc.

3. The City Forester requires the following:

- a. The proposed landscape plan reviewed and approved by the City Forester's Office must be submitted along with the site's Forest Conservation Plan that is being reviewed and ultimately approved by the Maryland Department of Natural Resources.

In accordance with Article 66B, Section 3.08 of the Annotated Code of Maryland, the Planning Commission's approval of the development proposal was based on the following findings, which were supported by the testimony and evidence in the record:

1. ~~The location, character and extent of the project are consistent with the City's Master Plan.~~ The proposed development does not conflict with the City's Master Plan. As per the Plan, the site is designated for Public Buildings and Facilities land

usage. The planned expansion of the JC will continue to be used and operated as a public institutional use and as such consistent with the City's Master Plan.

The proposed new Judicial Center Annex, also referred to as the new building addition, will be located on the south side of the existing Judicial Center building on what is currently green space. Upon completion of the new building addition, the overall site will feature pedestrian amenities and improvements, designed and intended to ensure that the site uses do not adversely impact or pose a threat to the health and safety of persons visiting, working, living, or conducting business within the site area. The applicant plans to install new wider sidewalks, supplemented by landscaped green space, along the site's Maryland Avenue and East Jefferson Street frontages. Based on the information provided, the Commission found no evidence that the planned expansion of the County's Judicial Center will pose a safety risk to persons residing or working within the site area.

The building as designed and sited complies with applicable setback and building height requirements of the zone in which it will be located. To ensure that the planned site use fully complied with provisions of the Zoning Ordinance and applicable law, the applicant submitted and (as noted) was granted a parking reduction waiver from the 830 parking spaces required per the Ordinance, and thus allowed to provide a total of 311 parking spaces as proposed under the site plan (ref. Section 25.16.03.h.1. of the Zoning Ordinance). Thus, the Commission's granting of the parking reduction request, ensures that the site plan/development proposal complies with applicable provisions of the Ordinance.

The subject site is bound to the south and west by public institutional uses, to the north by commercial land uses, and east by office and high-density multifamily land uses. Based on the proposed design and use of the building addition, the JC expansion will be in keeping with the built and natural character of the site area. The building addition will be constructed of building materials the applicant deems to be compatible to that of the JC and EOB.

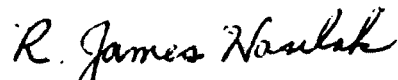
In conjunction with the planned site development, the site will be landscaped in accordance with requirements of the City's Landscape, Screening, and Lighting Manual. The applicant is required to submit a lighting plan, for staff review and approval prior to the issuance of occupancy permits. All site lighting is to be installed in such a manner so that it does not create glare and/or light spillage onto neighboring properties or onto abutting public roadways.

Vehicular access to the property is provided via Maryland Avenue and Monroe Street. The existing Judicial Center and EOB has underground parking facilities located beneath the buildings, with limited and/or restrictive short term/drop off parking

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located on the west and north sides of the buildings respectively, which serves as the main entrance into the buildings. The applicant will work with City staff in designing and installing appropriate signage in and around the site directing, informing, and warning both motorists and pedestrians visiting and traveling in and around the site area.

By Direction of the City of Rockville
Planning Commission


R. James Wasilak, AICP
Chief of Planning

/cdc

cc: Planning Commission
Charles Baker, Chief of Inspection Services
Shawn Benjaminson, P.E. – Adtek Engineers
Elise Cary, Assistant City Forester – R&P
Cas Chasten, Planner III - CPDS
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